

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

KRYSTAL ANN BOULDIN,

Defendant.

CR 20–33–M–DLC

ORDER

United States Magistrate Judge Kathleen L. DeSoto entered her Findings and Recommendation Concerning Plea on October 8, 2020. (Doc. 21.) As neither party objected, they are not entitled to *de novo* review of the record. 28 U.S.C. § 636(b)(1); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). Therefore, the Court reviews the Findings and Recommendation for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981). Clear error exists if the Court is left with a “definite and firm conviction that a mistake has been committed.” *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000).

Judge DeSoto recommends that the Court accept Defendant Krystal Ann Bouldin’s guilty plea after Bouldin appeared before her pursuant to Federal Rule of Criminal Procedure 11, and entered a plea of guilty to one count of conspiracy to

possess with the intent to distribute methamphetamine, in violation of 18 U.S.C. § 846, as set forth in Count I of the Indictment.

Finding no clear error, IT IS ORDERED that the Court ADOPTS the Findings and Recommendation (Doc. 21) as it relates to Count I of the Indictment. Accordingly, IT IS ORDERED that Krystal Ann Bouldin's motion to change plea (Doc. 14) is GRANTED, and Krystal Ann Bouldin is adjudged guilty as charged in Count I of the Indictment. The Court will DEFER ruling on the recommendation to dismiss Count II of the Indictment until sentencing.

DATED this 23rd day of October, 2020.



Dana L. Christensen, District Judge
United States District Court